

### **REMARKS**

This responds to the Office Action dated on January 22, 2008.

Claims 64-66 are amended, and claims 67-69 are added. Claims 52-53, 56-59 and 64-69 are now pending in this application.

#### **In the Specification**

The specification has been amended to update the priority information of the co-pending applications . No new matter has been added.

#### **Claim Objections**

Claims 65 and 66 were objected to for informalities. Claims 65 and 66 have been amended herein to overcome the objections in accordance with the Examiner's suggestions.

#### **§103 Rejection of the Claims**

Claims 52, 53, 59, 64 and 65 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson. Claims 56-59 and 64-66 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Silvian (U.S. Patent No. 4,991,583) in view of Anderson et al.. Reconsideration is respectfully requested.

As best understood, Anderson discloses using different electrodes for delivering paces and for sensing an evoked response. Independent claims 64-66 have been amended herein to recite limitations relating to reducing a coupling capacitance through which an electrical stimulus is delivered when an evoked response to the stimulus is sensed. As pointed out in the specification, this reduces afterpotentials and provides the advantage of using the same electrodes for delivering stimuli and sensing evoked responses. The device of Anderson, by utilizing separate electrodes for delivering stimuli and sensing evoked responses, neither teaches nor suggests Applicant's claimed subject matter and teaches away from it. Dependent claims 52-59 and 67-69 recite additional limitations that are neither taught nor suggested by the prior art of record in the context of their combination with the subject matters of claim 64-66. Withdrawal of the rejections is respectfully requested.

## **CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (847) 432-7302 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date April 22, 2008

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 22nd day of April 2008.

Kate Gannon

Name \_\_\_\_\_

**Signature**